



PATENT
Docket No. Kraml 5 (3037-4222)

#20
Appeal
Brief
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS & INTERFERENCES

In re application of:

Mark H. KRAML

Serial No: 09/245,101 : Group Art Unit: 2635

Filed: January 21, 1999 : Examiner: W. Bangachon

For: USING PAGING OR SATELLITE PAGING TO TRIGGER
REMOTE DEVICES

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APPEAL BRIEF

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Sir:

Appellant submits this brief in support of its appeal. The appeal is from the decision of the Examiner in the Office Action dated January 5, 2004 and subsequent Advisory Action, dated April 15, 2004 finally rejecting Appellant's Claims 1-7, 9-17, 19-34, 36-44, and 46-57.

Based on the arguments presented herein, Appellant requests that the Board of Patent Appeals and Interferences order the final rejection of January 5, 2004 be withdrawn and Appellants Claims 1-7, 9-17, 19-34, 36-44, and 46-57 be allowed and passed to issue.

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I. REAL PARTY IN INTEREST

The real party in interest of the application on appeal is its assignee, Lucent Technologies, Inc. 600 Mountain Avenue, a corporation of the State of Delaware, and having offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974-0636 USA

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to the appellant, the appellant's legal representative, or assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

The status of each claim in the appeal is as follows:

1. Claims 1-6, 9-11, 28-34, and 36-37 stand rejected under 35 U.S.C. 103(a) as obvious over USP 5,608,655 (Moughanni) in view of USP 4,214,229 (Warner).
2. Claims 11-17, 9-27, 38-44 and 46-57 stand rejected under 35 U.S.C. 103(a) as unpatentable over USP 5,608,655 (Moughanni) in view of USP 4,214,229 (Warner) and in further view of USP 5,588,038 (Snyder)
3. Claim 7, 17 and 34 stand rejected under 35 U.S.C. 103(a) as obvious over USP 5,608,655 (Moughanni) in view of USP 4,214,229 (Warner), and in further view of USP 6,075,863 (Krishnan et al).
4. Claims 1-7, 9-17, 19-34, 36-44, and 46-57 are under appeal.

IV. STATUS OF AMENDMENTS

No amendments have been filed subsequent to the Advisory Action of April 15, 2004.

V. SUMMARY OF THE INVENTION

The present invention uses an existing paging or satellite paging system to send trigger signals or commands to operate remotely-located electronic or mechanical devices. Either numeric-only or alphanumeric paging systems may be employed. In one embodiment, the invention has a paging receiver capable of receiving paging or satellite paging signals. One or more PINs may be employed for security purposes. The paging message typically contains one or more pre-set commands, trigger signals, or command strings.

The paging message is received by the paging receiver into an optional signal buffer which provides the received message compare function. The message compare function matches each component of the received paging message to a set of one or more known commands and sends at least one signal or command, as determined by the result of the matching process, to the command signal generator. The command signal generator is prompted by each signal or command received from the message compare function to send out a signal or command that causes the desired action to take place at or upon the target device. This signal or command could be a trigger signal for triggering an electronic or mechanical action, or could be a computer command that causes an operation to be performed in a software-controlled component of the target device. The command may include a minimum duration of action component (e.g. that a voltage is to be applied for a minimum of 30 seconds) in order to ensure that a particular action is only performed in response to a receipt of a bonafide command. In such a case, the target device would be set to only respond to the trigger if the trigger lasted at least a specified duration. Similarly, a particular duration may be specified between the performance of the individual components of a sequence of operations or commands. In an alternate embodiment, the command signal generator is not present, with one or more command or trigger signal being directly generated by the message compare function as the result of the comparison.

Another alternate embodiment of the invention allows responses to be generated by the system and/or to be forwarded from the target device back to the initiating party. In this embodiment, the paging message is received by a two-way paging transceiver into an optional signal buffer. The received message is provided to the message compare function, where it is compared with a set of one or more known commands. The message compare function sends at least one signal or command determined by the result of the matching process to either the

optional command signal generator or the target device. The command signal generator, if present, is caused by each signal or command received from the message compare function to send out a signal or command that causes the desired action to take place at the target device.

In this embodiment, either the target device has the capability of generating one or more signals or other messages in response to the commands received, or the system has the capability of sensing the state of the target device after receipt of the commands. If there is a response generation function that is integral to the target device, the target device provides one or more responses to the received commands. These responses may be sent to the optional signal buffer or directly to the paging transceiver if the signal buffer is not present, or may be received and modified by a response generation function that is part of the system of the invention. Alternatively, the response generation function may itself generate one or more responses based on a sensing of the state of the target device after execution of the received commands.

Responses are then relayed from the optional signal buffer or directly from the target device or response generation function back to the initiator via the paging transceiver. Responses may be relayed either at the completion of the execution of all received commands or after the execution of each, or certain specific ones, of the commands in a multi-command sequence, providing feedback to the initiator as the command sequence is processed. Finally, the initiator may receive an indication of the success or failure of the entire sequence of operations, or, in a more sophisticated system may receive data or other information produced or collected by the target device.

VI. ISSUES

1. Whether the Examiner was correct in rejecting Claims 1-6, 9-11, 28-34, and 36-37 under 35 U.S.C. 103(a) as obvious over USP 5,608,655 (Moughanni) in view of USP 4,214,229 (Warner).

2. Whether the Examiner was correct in rejecting Claims 11-17,19-27, 38-44 and 46-57 under 35 U.S.C. 103(a) as being unpatentable over USP 5,608,655 (Moughanni) in view of USP 4,214,229 (Warner) and in further view of USP 5,588,038 (Snyder).

3. Whether the Examiner was correct in rejecting Claim 7, 17 and 34 under 35 U.S.C. 103(a) as obvious over USP 5,608,655 (Moughanni) in view of USP 4,214,229 (Warner), and in further view of USP 6,075,863 (Krishnan et al.)

VII. GROUPING OF CLAIMS

Group 1: Claims 1-6, 9, 10 28-33, 36 and 37 stand or fall together.

Group 2: Claims 11 – 16, 19, 20 24-27 stand or fall together.

Group 3: Claims 21-23, 38-43 and 46 – 54 do not stand or fall together.

Group 4: Claims 7, 17, 34 and 44 stand or fall together.

Group 5: Claims 55, 56 and 57 stand or fall together.

VIII. ARGUMENTS

A. The Prior Art:

1. Moughanni

Moughanni discloses a wireless paging device, system, and method for controlling an electro-mechanical device at a remote location. The control of the electro-mechanical device includes, for example, turning a thermostat on or off, turning off an iron accidentally left on, or turning on a car heater before a drive home. The wireless paging device includes a receiver to detect when a particular electro-mechanical device is being remotely accessed. If the electro-mechanical device is remotely accessed, a data processing system stores

an incoming message in a buffer and subsequently determines if the incoming message is a command or another type of communication. The data processing system will process a command to provide the proper control signals for controlling the functionality of the electro-mechanical device.

2. Warner

Warner discloses a remote control device adapted to operate on a single remotely transmitted standardized command signal of a specific duration having a frequency within a predetermined frequency band, to actuate one or more control functions at the receiver. Warner also discloses that commands for a multiplicity of functions can be accomplished using a single command to eliminate time-consuming procedures.

3. Snyder

Snyder discloses a system and method for communicating with a remote location such as a vehicle or building. The system includes a calling transceiver, a central transceiver, and a satellite. The calling transceiver and the central transceiver control a device located in the remote location by sending transmissions to a forward wireless communication via the satellite and to a pager transceiver located in the remote location. The pager transceiver trips an electro-mechanical device as a result of receiving the transmission. The pager transceiver also has the capacity to transmit reverse wireless communications through the satellite.

4. Krishnan

Krishnan discloses a communication device that is controlled through the use of small programs or applets that are executed by a processor within the device. The applets

may be loaded into the device from a local host computer or may be downloaded from a remote device or computer.

B. Arguments

1. The Examiners Rejection of Claims 1-6, 9-11, 28-34 and 36 – 37 Under 35 U. S. C. 103 (a) As Obvious Over USP 5,608,655 (Moughanni) In View Of USP 4,214,229 (Warner) Is In Error Based Upon Claim Limitations Not Described, Suggested Or Taught In The Cited Art.

1.1 Claims 1-6:

(i) “means for comparing the content data of each said at least one paging message to a set of allowed commands;”

Moughanni at Column 4, Lines 42-67 discloses “(W)hen information indicating whether an incoming message is a command operation or an incoming message, the function bits, bits 20 and 21, are provided to CPU 28. CPU 28 processes the function code bits to indicate a type of command operation which is received and provides the appropriate data, address and control information to command processing unit.” In contrast, Kraml discloses at Page 7, Line 20 – 27 “the message compare function matches each component of the received paging message to a set of one or more known commands or other expected components of the message and sends at least one signal or command determined by the result of the matching process to the command signal generator.” Moughanni describes detecting commands from messages, and fails to disclose a compare function to select a command against allowable commands.

(ii) “each specific command determined as a result of the comparing of the content data of each said at least one paging message to the set of allowed commands,”

Moughanni at Column 4, Lines 43 – 45. discloses “CPU 28 may then access the stored information values from memory 30 to determine if the paging transmission was a command or a message. In contrast, Kraml at Page 5, Lines 4 – 6 discloses “(T) the received paging message typically will contain one or more pre-set commands or trigger signal or will contain at least one or more sophisticated command strings.” Moughanni accesses a memory for determining command or message status in a transmission and fails to disclose determining command or trigger status from the transmission.

(iii) “wherein each command causes said remotely located computer-controlled device to perform at least two actions”

The Examiner acknowledges Moughanni does not disclose the above limitation and turns to Warner to supply the missing element. Warner discloses a remote control device for use by a quadriplegic. Warner at Column 4, Lines 61 – 66 discloses “a single signal of sufficient duration within a given frequency accomplishes a vast number of complicated operations, using means within the machine for sequencing its receptivity of commands as well as tailoring in its response to suit the different needs of each command.” In contrast, Kraml at Page 7, Lines 24 continuing to Page 8, Line 4 discloses “The command generator is prompted by each signal or command received from the message compare function to send out a signal or command that causes the desired action to take place at the target device....Each command sent from the command signal generator would cause a separate action or sequence of actions to be performed at the target device.” Warner relies on means within the machine to generate the actions whereas Kraml’s command signals cause the at least two actions.

(iv) “wherein one of said at least one specific command sent to said remotely located computer-controlled device includes the program.”

Moughanni at Column 3, Lines 49 – 55 discloses the radio receiver receives a digital bit stream and a decoder converts the digital bit stream into a paging protocol. There is no disclosure in Moughanni that the digital bit stream includes a program applet. In contrast, Kraml at Page 7, lines 3 – 9 discloses an entire program may be contained in the message transmitted to the receiver.

1.2. Claims 9-10:

(i) Moughanni at Column 4, Lines 54-67 disclose a single command convertible into 3 commands by function bits. In contrast, Kraml at Page 6, Lines 20 -25 disclose the message may include multiple commands.

Summarizing, Moughanni in view of Warner discloses remote control devices which do not include: (1) comparing message content to allowed commands; (2) sending at least one specific command to a remote computer controlled device; (3) the command causing the computer controlled device to perform at least two actions and (4) the command including a program for making target choices. The missing claim limitations in the cited art render the claims unobvious over the prior art by providing new and useful features not foreseeable by a worker skilled in the art from the cited art. Finally, a worker skilled in the paging art would not consider the non-analogous art of Warner using a “whistle” signal to implement remote control of a target device via a paging device requiring a paging or satellite signal. The Examiner’s rejection of Group 1 claims is not supported in the cited art and is error. Withdrawal of the rejection and allowance of Group 1 claims are requested.

2. The Examiner's Rejection of Claims 11 – 17, 19-27, 38-43 and 46-57

Under 35 U. S. C. 103 (a) As Unpatentable Over USP 5,608,655 (Moughanni) In View Of USP 4,214,229 (Warner) And in Further View Of USP 5,588,038 (Snyder)) Is In Error Based Upon Claim Limitations Not Described, Suggested Or Taught In The Cited Art.

2.1 Claims 11-17, 19-27-38-43; 46-57

(i) “The system of claim 1, further comprising response means for sending at least one response paging message.”

Snyder at Col. 10, Lines 48-47 discloses a paging transceiver sending status signals responsive to forward wireless communications. In contrast, Kraml at Page 11, Lines 14 – 18 discloses a response generator linked to the target device and transmitting a paging message including extensive information back to the initiator. Snyder fails to disclose (1) a response generation means coupled to and responsive to a target device for transmitting extensive information back to an initiator, and (2) the missing elements in Moughanni and Warner. The missing claim limitations in the cited art render the claims unobvious by providing new and useful features relating to command signal processing, not available in the cited art. Moreover, a worker skilled in the paging art would not consider (2) modifying a pager with the “whistle” signal of Warner to implement remote control of a target device when a paging or satellite signal is required to operate the remote controlled target device via a paging device, or (2) including a program in a paging message for checking the status of a target or making choices for the target based on logic contained within the message. The rejection of Group 2 claims is in error. Withdrawal of the rejection and allowance of Group 2 claims are requested.

2.2 Claims 21-23, 38-43 and 46 – 54 do not stand or fall together.

Claims 21-23 provide further details of the response means claimed in claim 11. Snyder at Column 10, Lines 51-67 discloses providing status signals, not sensing the state of a remotely computer controlled device. Snyder fails to disclose the further details of claims 2-23.

Claims 38-43 provides further details relating to paging messages and command construction in the process steps disclosed in claim 28. Moughanni and Snyder fails to disclose the process steps of claim 28, as previously considered above in Paragraph 2.1, and fail to disclose the further details of claims 38-43.

Claims 46 – 54 provide further details relating to response paging message construction disclosed in claim 38. Moughanni and Snyder fails to disclose the process steps of claim 28, as previously considered above in Paragraph 2.1, and fail to disclose the further details of claims 46 -54.

Claims 21-23, 38-43 and 46-54 individually describe additional subject matter, different from each other, for claims 11 and 28 and do not stand or fall together.

3. The Examiner's Rejection of Claims 7, 17, 34 and 44 Under 35 U. S. C. 103 (a) As Obvious Over USP 5,608,655 (Moughanni) In View Of USP 4,214,229 (Warner) And In Further View Of USP 6,075,863 (Krishnan) Is In Error Based Upon Claim Limitations Not Described, Suggested Or Taught In The Cited Art.

3.1 Claims 7, 17, 34 and 44:

- (i) “The system of claim 1, wherein the program is a Java Applet.”**

Krishnan at Column 3, Lines 24 – 35 discloses “(A)applets may be downloaded into a modem from a host computer by the host sending a “load applet” to the

modem followed by the compiled applet code itself. ...The down loaded applet code is stored in a RAM and a verification routine stored in a ROM...".In contrast, Kraml at Page 7, Lines 3 – 9 discloses a paging message may include a program, e.g. JAVA applet..." for checking the status of a target and make choices based on self-contained logic within the message." In Kraml, there is no downloading or storing the applet in the target device, as in Krishnan. Not only does Krishnan fail to disclose using self-contained logic, i.e. a program within the content data of a paging message for checking the status of a target and making choices based on the self-contained logic in the message, but Krishnan also fail to disclose the missing elements in Moughanni and Warner. The rejection of Group 4 is in error.

Withdrawal of the rejection and allowance of Group 4 claims are requested.

4. The Examiner's Rejection of Claims 55, 56. and 57 Under 35 U. S. C. 103 (a) As Obvious Over USP 5,608,655 (Moughanni) In View Of USP 4,214,229 (Warner) And In Further View Of USP 5,588,038 (Snyder)) Is In Error Based Upon Claim Limitations Not Described, Suggested Or Taught In The Cited Art.

(i) "wherein the sensor records a status of the sensor after the generating of said at least one command and reports the status to the transceiver for inclusion in said at least one transmitted paging message,"

Snyder at Col 10, Lines 48-67 discloses the pager transceiver generates a message typically from 6 to 250 character, a small paragraph and sent to the central transceiver by satellite or directly over the air. In contrast, Kraml at Page 10, Lines 14 – 19 discloses a response generation function constructing a paging message which typically contains one or more pre-set commands, trigger signals or command strings which are more than a short paragraph in length.

(ii) “The system of claim 55, wherein duration of time between the sensor recording the status and the sensor reporting the status is a variable component of each received paging message.”

The Examiner considers the period of time limitation a mere design choice, and fails to disclose any reference or corroboration that such considerations in remote controlled are mere design choices.

Summarizing, The missing claim limitations in the cited art render the claims unobvious over the prior art by providing new and useful features beyond the skill of a worker in the art. Moreover, a worker skilled in the paging art would not consider (1) the non-analogous art of Warner using a “whistle” signal to implement remote control of a target device in a paging system, or (2) make design choices in selecting a predetermined minimum time for performance of each command at a target, particularly when the has Examiner has failed to cite a reference showing such design are well-know in the remote controlled target art.. The Examiner’s rejection of Group 5 claims is not supported in the cited art and is error. Withdrawal of the rejection and allowance of Group 5 claims are requested.

IX. CONCLUSION:

The cited art, alone or in combination, discloses (1) a paging device (Moughanni) controlling a remote target device, after decoding a digital stream to determine whether the stream includes a command or a message, using function bits in the stream to determine the type of command for causing the target device to execute a single action; (2) modifying the paging device to incorporate the disclosure of an electro-mechanical system (Warner), not analogous to the paging system of Moughanni, and responsive to a “whistle” signal of an operator enabling

the target device to perform more than a single action;(3) further modifying the paging device to incorporate a return signal to the initiator (Snyder) indicating the status of the target device, and (4) still further modifying the paging device to incorporate a program in the digital stream and executable in a processor for controlling the target device (Krishnan).

The cited art, taken as a whole, fails to disclose a paging device controlling a remote target via (1) a digital message including one or more pre-set commands, trigger signals and sophisticated command strings; (2) the commands adapted to include program functions (JAVA applets) for making target action choices; (3) the message subject to a compare function matching each component of the message to a set of one or more known commands; (4) a command signal generator responsive to the compare function to send the target a signal corresponding to the matched command; (5) the target signal causing a sequence of actions to be performed at or on a computer-controlled target device, and (6) a response generator responsive to the target and providing an initiator a return paging message including extensive information.

Moreover, a worker skilled in the art would not look to the non-analogous art of Warner using a human “whistle” signal to control operation of a remote target device where a paging or satellite signal is required to operate the remote controlled system. Accordingly, the element “generating at least two actions”, acknowledged by the Examiner as missing, is not supplied by Snyder or Krishnan.

The rejection is in error by the failure of the cited art, taken as a whole, to show or suggest or teach a paging system controlling a remote target device by (1) a compare function selecting commands in a paging message against an allowable set of commands for controlling a computer-controlled target device ; (2) commands including components, one of which may be

a program for making target action choices; (3) the target device responsive to the matched command for performing at least two actions, and (4) a response generator returning a paging message including extensive information. The foregoing features render the claimed subject matter unobvious by providing improvements to the remote controlled device, not extendable from the cited art.

The rejection of claims 1-7, 9-17, 19-34, 36-44 and 46-47 under 35 U. S. C. 103(a) should be reversed; the rejected claims allowed , and the case passed to issue.

Respectfully submitted,

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Appendix

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APPENDIX

1. (Previously Presented) A system for operation of a remotely located computer-controlled device, comprising:

receiver means for receiving at least one paging message, each paging message including content data, said receiver means co-located with said remotely located computer-controlled device;

means for comparing the content data of each said at least one paging message to a set of allowed commands; and

means for sending at least one specific command to said remotely located computer-controlled device, each specific command determined as a result of the comparing of the content data of each said at least one paging message to the set of allowed commands,

wherein the content data includes a program,

wherein each specific command causes said remotely located computer-controlled device to perform at least two actions, and

wherein one of said at least one specific command sent to said remotely located computer-controlled device includes the program.

2. (Previously Presented) The system of claim 1, further comprising buffer means for receiving said at least one paging message from said receiver means.

3. (Previously Presented) The system of claim 1, wherein said means for sending further comprises command generation means for constructing each specific command to be forwarded to said remotely located computer-controlled device.

4. (Previously Presented) The system of claim 2, wherein said means for sending further comprises command generation means for constructing each specific command to be forwarded to said remotely located computer-controlled device.

5. (Previously Presented) The system of claim 1, wherein said specific command is a trigger signal, or a command string.

6. (Previously Presented) The system of claim 4, wherein said specific command is a trigger signal, or a command string.

7. (Previously Presented) The system of claim 1, wherein the program is a Java Applet.

8. (Canceled).

9. (Previously Presented) The system of claim 1, wherein the content data includes at least two allowed commands from the set of allowed commands.

10. (Previously Presented) The system of claim 4, wherein the content data includes at least two allowed commands from the set of allowed commands.

11. (Previously Presented) The system of claim 1, further comprising response means for sending at least one response paging message.

12. (Previously Presented) The system of claim 11, further comprising buffer means for receiving said at least one paging message from said receiver means.

13. (Previously Presented) The system of claim 11, wherein said means for sending further comprises command generation means for constructing each specific command to be forwarded to said remotely located computer-controlled device.

14. (Previously Presented) The system of claim 12, wherein said means for sending further comprises command generation means for constructing each specific command to be forwarded to said remotely located computer-controlled device.

15. (Previously Presented) The system of claim 11, wherein said specific command is a trigger signal, or a command string.

16. (Previously Presented) The system of claim 14, wherein said specific command is a trigger signal, or a command string.

17. (Previously Presented) The system of claim 11, wherein the program is a Java Applet.

18. (Canceled).

19. (Previously Presented) The system of claim 11, wherein the content data includes at least two allowed commands from the set of allowed commands.

20. (Previously Presented) The system of claim 14, wherein the content data includes at least two allowed commands from the set of allowed commands.

21. (Previously Presented) The system of claim 11, wherein said response means includes a response generator means for creating each response paging message.

22. (Previously Presented) The system of claim 21, wherein said means for creating each response paging message includes sensing means for determining a state of said remotely located computer-controlled device.

23. (Previously Presented) The system of claim 21, wherein said means for creating each response paging message includes response receiving means for receiving a response message from said remotely located computer-controlled device.

24. (Original) The system of claim 11, wherein said response paging message includes a security challenge message.

25. (Previously Presented) The system of claim 11, wherein said response paging message includes a success or failure indication following execution of each specific command.

26. (Previously Presented) The system of claim 11, wherein said response paging message includes a status indication for said remotely located computer-controlled device.

27. (Previously Presented) The system of claim 11, wherein said response paging message includes data collected by or from said remotely located computer-controlled device.

28. (Previously Presented) A method for operation of a remotely located computer-controlled device, comprising:

receiving at least one paging message, each paging message including content data, on a receiver means co-located with said remotely located computer-controlled device;

comparing the content data of each said at least one paging message to a set of allowed commands; and

sending at least one specific command to said remotely located computer-controlled device, each specific command determined as a result of the comparing of the content data of each said at least one paging message to the set of allowed commands,

wherein the content data includes a program,

wherein each specific command causes said remotely located computer-controlled device to perform at least two actions, and

wherein one of said at least one specific command sent to said remotely located computer-controlled device includes the program.

29. (Previously Presented) The method of claim 28, further comprising buffering said at least one paging message after it arrives on the receiver means.

30. (Previously Presented) The method of claim 28, further comprising formulating each specific command as a result of the comparing of the content data.

31. (Previously Presented) The method of claim 29, further comprising constructing each specific command as a result of the comparing of the content data.

32. (Previously Presented) The method of claim 28, wherein said specific command is a trigger signal, or a command string.

33. (Previously Presented) The method of claim 31, wherein said specific command is a trigger signal, or a command string.

34. (Previously Presented) The method of claim 28, wherein the program is a Java Applet.

35. (Canceled).

36. (Previously Presented) The method of claim 28, wherein the content data includes at least two allowed commands from the set of allowed commands and the method performs the sending of each specific command for each match found as a result of the comparing of the content data.

37. (Previously Presented) The method of claim 31, wherein the content data includes at least two allowed commands from the set of allowed commands and the method performs the sending of each specific command for each match found as a result of the comparing of the content data.

38. (Previously Presented) The method of claim 28, further comprising sending at least one response paging message.

39. (Previously Presented) The method of claim 38, further comprising buffering said at least one paging message after it arrives on the receiver means.

40. (Previously Presented) The method of claim 38, further comprising formulating each specific command as a result of the comparing of the content data.

41. (Previously Presented) The method of claim 39, further comprising constructing each specific command as a result of the comparing of the content data.

42. (Previously Presented) The method of claim 38, wherein said specific command is a trigger signal, or a command string.

43. (Previously Presented) The method of claim 41, wherein said specific command is a trigger signal, or a command string.

44. (Previously Presented) The method of claim 38, wherein the program is a Java Applet.

45. (Canceled).

46. (Previously Presented) The method of claim 38, wherein the content data includes at least two allowed commands from the set of allowed commands and the method performs the sending of each specific command for each match found as a result of the comparing of the content data.

47. (Previously Presented) The method of claim 41, wherein the content data includes at least two allowed commands from the set of allowed commands and the method performs the sending of each specific command for each match found as a result of the comparing of the content data.

48. (Previously Presented) The method of claim 38, wherein said step of sending a response paging method further includes creating each response paging message.

49. (Previously Presented) The method of claim 48, wherein said step of creating each response paging message includes sensing a state of said remotely located computer-controlled device.

50. (Previously Presented) The method of claim 48, wherein said step of creating each response paging message includes receiving a response message from said remotely located computer-controlled device.

51. (Previously Presented) The method of claim 38, wherein each response paging message includes a security challenge message.

52. (Previously Presented) The method of claim 38, wherein each response paging message includes a success or failure indication following execution of each specific command.

53. (Previously Presented) The method of claim 38, wherein each response paging message includes a status indication for said remotely located computer-controlled device.

54. (Previously Presented) The method of claim 38, wherein each response paging message includes data collected by or from said remotely located computer-controlled device.

55. (Previously Presented) A system for operating a remotely located computer-controlled device, the remotely located computer-controlled device including a sensor and a control, comprising:

a transceiver for receiving at least one received paging message and transmitting at least one transmitted paging message, the transceiver co-located with said remotely located computer-controlled device;

a comparator for comparing content data of each received paging message to a set of

allowed components;

a command generator for generating at least one command to the control, each command determined as a result of the comparing of the content data of each received paging message to the set of allowed components,

wherein the sensor records a status of the sensor after the generating of said at least one command and reports the status to the transceiver for inclusion in said at least one transmitted paging message, and

wherein the content data includes a program,

wherein each command causes said remotely located computer-controlled device to perform at least two actions, and

wherein one of said at least one command generated by the command generator includes the program.

56. (Previously Presented) The system of claim 55, wherein a duration of time between the sensor recording the status and the sensor reporting the status is a variable component of each received paging message.

57. (Previously Presented) The system of claim 55, wherein a duration of time between the sensor recording the status and the sensor reporting the status is a predetermined minimum for performance of each command by said remotely located computer-controlled device.



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PATENT
Docket No. Kraml 5 (3037-4222)

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS & INTERFERENCES**

In re application of:

Mark H. KRAML

Serial No: 09/245,101 : Group Art Unit: 2635

Filed: January 21, 1999 : Examiner: W. Bangachon

For: USING PAGING OR SATELLITE PAGING TO TRIGGER
REMOTE DEVICES

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Sir:

- ☒ Transmitted herewith in triplicate is the Appeal Brief for Appellant(s) which is due on July 5, 2004. The Notice of Appeal was filed on May 5, 2004.
- ☐ Transmitted herewith in triplicate is the Reply Brief for Appellant(s) which is due on _____. The Examiner's Answer was mailed on _____.
- ☐ Transmitted herewith in triplicate is a Supplemental Brief for Appellant(s) which is due on _____ in response to the Office Action reopening prosecution on _____. Appellant(s) hereby request that the appeal of the above-identified application be reinstated.
- ☐ A Petition and Fee for Extension of Time to extend the term for filing the
☐ Appeal Brief ☐ Reply Brief ☐ Supplemental Brief is enclosed.

The item(s) checked below are appropriate:

- ☒ Appeal Fee (Large Entity) - \$330.00
- ☐ Appeal Fee Under 37 CFR §1.9(f) (Small Entity) - \$165.00

Serial No. 09/245,101

Docket: 3037-4222

- ☒ Fee enclosed (Check for \$330.00)
- ☐ Fee not required (Fee paid in prior appeal)
- ☒ Charge fee to Deposit Account No. 13-4503, Order No. KRAML 5 (3037-4222).
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may
be required by this paper, or credit any overpayment to Deposit Account No.
13-4503, Order No. KRAML 5 (3037-4222). A DUPLICATE COPY OF THIS
SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: July 1, 2004

By: _____

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